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The Clean Water Restoration Act of 2007, if passed, will amend the present Clean Water Act and replace the term "navigable waters," with the term "waters of the United States."

"Waters of the United States" is defined to mean waters subject to the ebb and flow of tide, territorial seas, interstate and intrastate waters and their tributaries, lakes, rivers, streams, wet meadows, and wetlands.

This bill clarifies present law and clearly makes "waters of the United States" subject to the legislative power of Congress under the Constitution.

In June of 2006 the U.S. Supreme Court, in a 5-4 decision, said that lower courts must reconsider whether ditches and drains near wetlands are waters. The decision (known as the Rapanos Decision) came about when federal regulators refused to allow John Rapanos, a Michigan property owner, to build a shopping mall, on wetlands he owns, very close to Lake St. Clair in Montcalm County Michigan.

The present Clean Water Act is confusing as to whether government protections is extended a mile or two away from waterways. Chief Justice John Roberts said that lower courts and regulators will have to "feel their way on a case-by-case basis."

Some members of Congress believe that developments like John Rapanos's should be allowed, and not federally regulated, unless the project is connected to waterways. Other members hold the position that the 40 year practice of the Army Corps of Engineers, which protects sites near the waterways, should continue.

The Clean Water Restoration Act of 2007 will clarify once and for all what is and should be protected. And with more and more development taking place near public waterways, a clarification is needed.

The Clean Water Restoration Act, known as H.R. 2421, presently has 170 supporters in the House, with 218 votes needed for passage. Republicans like Mark Kirk of Illinois, Christopher Smith of New Jersey, and a growing number of Republicans are signing on as sponsors.

The bill will first have to go through a series of committee hearings, ammendments, and compromises. And that's a good thing, because such a process will make sure the definition of "waters" doesn't include bird feeders and bathroom sinks. Here's a golden opportunity for Democrats and Republicans to find common ground in the national interest.

Clean Water Action, a national organization working to assure supplies of clean, safe and affordable water for all Americans, is to be congratulated for leading the charge and rasing the level of awareness of H.R. 2421.

The Clean Water Restoration Act, when passed, will be good for our environment and good for our public life.

Our Public Life, a weekly column by Craig Hammond, former mayor of Bluefield, WV and host of RadioActive, is dedicated to the institutions that enhance our public life.